



CIVIL RIGHTS POLICY

**INCLUDING NONDISCRIMINATION, TITLE VI, EQUAL
EMPLOYMENT OPPORTUNITY, AND LIMITED ENGLISH
PROFICIENCY PLANS**

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TABLE OF CONTENTS

	<u>Page</u>
COMMUNITY COMMITMENT	1
GENERAL PROVISIONS	1
§1 - Adoption	1
§2 – Required Compliance	1
§3 – Policy Overview	1
§4 – Definitions and Interpretation	1
§5 – Civil Rights Coordinator	5
§6 – Policy Statement	5
SPECIFIC REQUIREMENTS AND PROVISIONS	7
§7 – Interactions, Communications, and Actions	7
§8 – Equal Employment Opportunity Plan (EEOP)	7
§9 – Limited English Proficiency (EOP) Plan	9
§10 – City Contracts	14
§11 – Assurances for Grants	15
§12 – City Project Evaluation – Environmental Justice	16
§13 – Meeting Agendas, Notice and Other City Body Requirements	16
ADMINISTRATION	17
§14 – Enforcement and Complaints	17
§15 – Review and Evaluation	18
§16 – Dissemination	19
CIVIL RIGHTS COMPLAINT FORM	20
EMPLOYEE RECEIPT	21

COMMUNITY COMMITMENT

The City of Wyoming envisions a “diverse, strong, and authentic community where all individuals have the opportunity to thrive.” This vision appreciates the rich diversity of the community’s people who originate from many nations, speak various languages, have varied financial means, practice different faiths, express differing genders and sexuality, reside in a variety of households, exhibit varying physical characteristics, and have wide-ranging aptitudes and abilities. Wyoming foresees a community in which all individuals enjoy their cultural heritages but unite in ensuring opportunities for all to thrive.

Wyoming’s mission of “community, safety and stewardship” aims for a community in which all community members (i) feel included, vital, important, understood, and valued, (ii) are treated respectfully, courteously, and with dignity, (iii) have equal opportunities, (iv) do not suffer unmet needs, and (v) are able to pursue happiness. It recognizes all persons need to feel safe, be free from intimidation or oppression with their property and physical well-being secure, and be treated impartially, objectively, and compassionately. It requires (i) prudently using community resources in furtherance of the first two parts of this mission in ways that ensure continued availability of needed resources and (ii) asking community members only for funds reasonably needed.

This vision and mission exceed legal requirements. They are affirmative, stating what Wyoming strives for, rather than negative, stating what Wyoming (and its personnel) will not do. Wyoming actively pursues this vision and mission, using them to guide city decisions.

Myriad state and federal constitutional provisions, laws, rules, regulations, orders, and grant contract obligations, impose civil rights requirements Wyoming must meet. This document is intended to incorporate Wyoming’s affirmative commitments and meet all civil rights policy and plan requirements.¹ It can and, when appropriate, should be (i) posted on the city’s website, (ii) provided to city bodies and city personnel, (iii) provided to inquiring federal and state agencies and officials, and (iv) made available to contractors, residents, and others.

GENERAL PROVISIONS

§1 – Adoption. City Council approval by a resolution adopted May 16, 2022, makes this official city policy. This revised policy supersedes and replaces the policy approved by the City on March 15, 2021.

§2 – Required Compliance. All city personnel and all city bodies must comply with this policy. Noncompliance can have the same consequences as noncompliance with any other city policy.

§3 – Policy Overview. This policy:

- A. Assigns responsibilities and establishes procedures to ensure compliance with it and applicable law.
- B. Commits the city and its personnel and bodies to treating all persons with equity, fairness, impartiality, courtesy, and respect.
- C. Prohibits discrimination in all city programs, services, employment, public accommodation, housing, facilities or property access or use, bid or contract, permit or other approval, proceeding, or other activity or action.
- D. Establishes procedures, including periodic reviews, for evaluating impacts of city programs, services, projects, and other activities ensuring compliance with this policy and applicable civil rights laws.
- E. Establishes procedures for filing and addressing complaints by persons who believe they suffered discrimination that violates this policy or applicable civil rights laws.

§4 – Definitions and Interpretation.

A. The following definitions apply to words and phrases in this policy unless the context clearly indicates otherwise:

- 1. *Adverse effects* means the totality of significant individual or cumulative human health or environmental effects including interrelated social and economic effects, which may include, but are not limited to the following and which include significant and non-significant effects:

¹ For example, those in Title VI of the Civil Rights Act of 1964, such as for an LEP plan, and those in HUD and DOJ grant requirements.

- a. Bodily impairment, infirmity, illness, or death.
- b. Air, noise and water pollution and soil contamination.
- c. Destruction or disruption of man-made or natural resources.
- d. Destruction or diminution of aesthetic values
- e. Destruction or disruption of community cohesion or the community's economic vitality.
- f. Destruction or disruption of the availability of public and private facilities and services.
- g. Adverse employment effects.
- h. Displacement of businesses, farms, or non-profit organizations.
- i. Increased traffic congestion, isolation, exclusion or separation of minority or low-income individuals within a given community or from the broader community.
- j. Denial of, reduction in, or significant delay in the receipt of benefits of the city's programs, policies and activities.

Determinations of significance require considerations of both context and intensity. *Context* means analyzing the significance of an action in various contexts such as society as a whole, the city as a whole, the affected vicinity or neighborhood, the affected interests, and the property and persons. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the local area and people affected, rather than a broader context. Both short- and long-term effects are relevant. Noise, dust, added or reduced traffic, and other disruptions during short-term construction are considered less significant than they when associated with long-term operation and use of an improvement. *Intensity* means the severity of impact and requires evaluating beneficial and adverse effects. Even if, on balance, effects will be beneficial, a project may still have significant adverse effects. If an alternative would provide only a beneficial effect, then the alternative would cause no significant adverse effect. If an alternative would provide an adverse effect, it might be significant or non-significant. Scientific, technical, institutional, public value, cultural consideration, and the local economic conditions influence the significance of effects. *Non-significant effect* means there is no substantial change to the environment within the project context and therefore has no material bearing on the decision-making process. *Significant adverse effects on minority and low-income populations* means an adverse effect that:

- a. Is predominantly borne by a minority population and/or a low-income population; or
- b. Will be suffered by the minority population and/or low-income population and is shown to be appreciably more severe, or greater in magnitude, than the adverse effect that will be suffered by the non-minority population and/or non-low-income population.

Final determinations that a project will have significant and non-significant effects and adverse effects will be made by the city manager.

2. *Applicable civil rights laws* means Title VI of the Civil Rights Act of 1964, 42 USC 2000d *et seq.*; Title VII of the Civil Rights Act of 1964, 42 USC 2000e *et seq.*; and Title VIII of the Civil Rights Act of 1968; the fair housing act, 42 U.S.C. 3601 *et seq.*; the Elliott-Larsen civil rights act, MCL 37.2101 *et seq.*; Americans with Disabilities Act, 42 USC 12101 *et seq.*; the persons with disabilities act, MCL 37.1101 *et seq.*; and all rules, regulations, or other requirements pursuant to those statutes.

3. *CDBG* means Community Development Block Grant provided and administered by HUD.

4. *City or Wyoming* means the City of Wyoming, Kent County, Michigan.

5. *City bodies or Wyoming bodies* means the City Council and all boards, bodies, and commissions of, created by, or under the purview of Wyoming including, for example, the Downtown Development Authority, Brownfield Redevelopment Authority, Historical Commission, Housing Commission, Community Development Committee, and Economic Development Corporation. (Nonprofit entities contracting with the city to use city facilities or to provide programs or services at city facilities, such as the Wyoming Senior Fellowship and Pinery Park Little League, are city contractors as defined below and must comply with this policy under subsection 7.B.)

6. *City contractor* means any individual or entity, other than city personnel or a city body, contracting with Wyoming or a city body to provide goods, services, or programs to or for Wyoming or any city body, including, without limitation, (i) design, construction, installation, maintenance, repair or improvement, or replacement of any city property, (ii) professional services or consultation, (iii) training of any kind, (iv) programs related to parks, the Wyoming Senior Center, TEAM 21 or other after-school program, or other community activities, (v) maintenance or repair of any city vehicles or

other personal property, (vi) mowing or snowplowing of city property or rights-of-way, (vii) refuse or waste collection or disposal, (viii) computer or other hardware or software design, supply, or services, (ix) cleaning or janitorial services, (x) CDBG or other HUD program services, and (xi) office, shop, laboratory, or other supplies and equipment.

7. *City Council* means the Wyoming City Council.

8. *City manager* means the individual duly appointed or acting as the city manager in accordance with the City Charter or that individual's designee.

9. *City personnel* or *Wyoming personnel* means all elected and appointed officers, employees, volunteers, and other agents of the City of Wyoming when acting in their official capacity or on the city's behalf, including all members of city bodies. It includes personnel of the Wyoming Housing Commission and, except as otherwise limited by applicable law, 62-A District Court personnel.

10. *Civil rights coordinator* means the individual, department or other personnel or body designated to serve as the civil rights coordinator under section 5 of this policy.

11. *COPS grant* means the DOJ Community Oriented Policing Hiring Program grant awarded November 18, 2021.

12. *Disability* means, with respect to an individual: (a) a physical or mental impairment that substantially limits one or more major life activities of such individual; (b) a record of such an impairment; or (d) being regarded as having such an impairment. *Major life activities* in general include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. *Major bodily functions* for purposes of a major life activity also includes the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions. *Regarded as having such an impairment* means an individual who establishes that he or she has been subjected to an action prohibited by an applicable civil rights law because of an actual or perceived physical or mental impairment whether or not the impairment limits or is perceived to limit a major life activity but does not apply to impairments that are transitory and minor (i.e., an actual or expected duration of 6 months or less).²

13. *Discriminate* or *discrimination* means to treat or impact any individual, group of individuals, or population differently based on race, color, religion, national origin, age, sex, gender, height, weight, marital status, familial status, mental or physical disability, genetic information, or any other reason prohibited by law. In housing matters, to *discriminate* or *discrimination* also means discriminating against an individual because the source of the individual's income or funds to pay for housing may include state or federal assistance.³

14. *Disparate impact* means discrimination occurring when a "neutral procedure or practice" results in fewer services or benefits, or inferior services or benefits, to members of a protected group, or results in greater adverse consequences (such as harsher sentences) to members of that protected group. Disparate impact focuses on the consequences of a decision, policy, or practice rather than the intent. Decisions made or actions taken in a nondiscriminatory manner can have disparate impacts.

15. *Disparate treatment* means discrimination treating similarly situated persons differently because of race, color, religion, national origin, age, sex, gender, height, weight, marital status, familial status, mental or physical disability, genetic information, or any other reason prohibited by law.

16. *DOJ* means the United States Department of Justice.

17. *EEOC* means the United States Equal Employment Opportunity Commission or successor agency.

18. *EEOP* means equal employment opportunity plan in section 8.

² ADA, 42 USC 12102. The definition in Michigan's persons with disabilities act, MCL 37.1103(d) differs a bit. DOJ's Civil Rights Division issued an opinion that opioid use disorder is a disability under the ADA. "The Americans with Disabilities Act and the Opioid Crisis: Combating Discrimination Against People in Treatment or Recovery," 04.05.2022, https://www.ada.gov/opioid_guidance.pdf.

³ Code of Ordinances, City of Wyoming, Michigan, §42-53.

19. *EPA* means the United States Environmental Protection Agency or successor agency.

20. *Federal assistance* means (i) grants and loans of federal funds (directly or indirectly through a state or county agency), (ii) grants or donations of federal property or interests in property, (iii) the detail of federal personnel, (iv) training by or on behalf of federal agencies, (v) use of federal equipment, (vi) use federal property or any interest in such property without consideration or at a nominal consideration or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient, and (vii) any federal agreement, arrangement or other contract which has, as one of its purposes, the provision of assistance.

21. *Harassment* means and includes any type of harassment as defined or prohibited in applicable civil rights laws and includes unprofessional or discourteous communications and actions including, for example and not for limitation, the following:

a. Sexual harassment including unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature is unlawful sexual harassment when:

- i. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- ii. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- iii. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Examples of prohibited actions and statements include derogatory or vulgar comments regarding a person's gender, sexually suggestive language, remarks about a person's anatomy, threats of physical harm, and distribution of written or graphic sexual materials. Nude pictures, sexually oriented magazines or posters, and other words or pictures of a sexually suggestive nature are also prohibited. Prohibited actions include touching another person in a sexually suggestive way or in a gender/sexual location, and physical contact such as hitting and pushing or threats to take such action.

b. Racial/national origin harassment including hostile, intimidating, or offensive actions by a person based on an individual's or group's racial or ethnic origin, or incitement to commit such conduct including, but not limited to, derogatory comments, racial jokes, slurs, epithets, graffiti, or physical acts.

c. Other harassment including bullying and unwelcome verbal, physical, or other conduct that creates an intimidating, hostile, or offensive working environment based on protected status (such as personal characteristics or cultural differences) or protected activities. Such conduct includes, but is not limited to, derogatory comments, jokes, slurs, epithets, graffiti, gestures, displays, touching, or other physical acts.

22. *HUD* means the United States Department of Housing and Urban Development or successor agency.

23. *Interpretation* means oral language assistance.

24. *LEP* or *limited English proficiency* means an inability to understand, speak, read, or write English well or being more proficient in a language other than English. For purposes of this policy, individuals who speak English less than very well are LEP individuals.

25. *LEP Plan* means the Limited English Proficiency Plan in section 13.

26. *Low-income* means a median household income at or below the USDHHS's poverty guidelines (see <https://aspe.hhs.gov/poverty/>). If CDBG or other HUD funding is involved, "low income" means household income not exceeding 80% of the median family income for the area.

27. *Low-income population* means any readily identifiable group of low-income persons living in geographic proximity and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers) who will be similarly affected by a proposed city program, policy, or activity.

28. *MDOT* means the Michigan Department of Transportation or successor agency.

29. *Minority*⁴ means a person who is:

- a. *American Indian or Alaska Native* means a person having origins in any of the original peoples of North, Central, or South America who maintains tribal affiliation or community attachment. It includes state-recognized tribes and their individual members; indigenous and tribal community-based organizations; individual members of federally recognized tribes, including those living on a different reservation or outside Indian country; Native Hawaiians; Native Pacific Islanders; and individual Native Americans.
- b. *Asian or Pacific Islander* means a person having origins in any of the original people of the Far East, Southeast Asia, the Indian sub-continent, or the Pacific Islands.
- c. *Black or African American or Black, not of Hispanic Origin*, means a person having origins in any of the black racial groups of Africa.
- d. *Latino, Latinx or Hispanic* means a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.

30. *Minority Population* means any readily identifiable groups of minority persons living in geographic proximity and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed program, policy, or activity.

31. *Noncompliant or noncompliance* means a failure to meet prescribed requirements, especially (though not essentially) if there is shown to be a lack of a good faith effort to comply.

32. *Sex* means both sex and gender, sex or gender stereotypes, sexual orientation, gender identity (including transgender status) or expression, and pregnancy, childbirth or a condition related to pregnancy or childbirth.

33. *Subrecipient* means an individual or entity to which Wyoming provides funding, services, materials, supplies, equipment, or training that is directly or indirectly funded by funds from a federal agency, including, for example, CDBG funds.

34. *Title VI* means Title VI of the Civil Rights Act of 1964, 42 USC 2000d *et seq.* and all rules, regulations, and agency guidelines issues pursuant to it.

35. *Translation* means written language assistance.

36. *USDHHS* means the United States Department of Health and Human Services.

37. *USDOT* means the United States Department of Transportation.

B. Identification of a city official by title includes that official's superiors and designee(s).

C. Identification of any federal or state agency by name or any city department by name includes its successor agency or department.

§ 5 – Civil Rights Coordinator. Unless the city manager designates another individual, department, city body or city personnel, the human resources director will be responsible for implementing, evaluating, and updating this policy, and for policy compliance. The city manager, finance department and city attorney will collaborate with the human resources director, to provide advice and support for and, as appropriate, undertake actions related to, accounting, recordkeeping, legal analysis, contract enforcement, initiating or defending legal proceedings, and other actions needed to implement, evaluate, update and ensure compliance with this policy.

§6 – Policy Statement. The following apply regardless of any other provision of this policy.

A. General Policies.

1. All persons must be treated with equity, fairness, impartiality, courtesy, respect.
2. Discrimination in all city programs, services, employment, public accommodations, housing, facilities or property access or uses, bids, contracts, permits, other approvals, proceedings, and other activities and actions is prohibited. This include discriminatory treatment and discriminatory impacts or effects.

⁴ The definition is based on §2.2.1 of *Technical Guidance for Assessing Environmental Justice in Regulatory Analysis*, June 2016, EPA, pp 6-7, https://www.epa.gov/sites/production/files/2016-06/documents/ejtg_5_6_16_v5.1.pdf, and on 28 CFR 42.302(e) & 28 CFR 42.402(e).

3. Harassment or bullying of any individual or group is prohibited.
4. Retaliation against or intimidation of a complainant, witness, consultant, or other person involved in any complaint or investigation under this policy or applicable civil rights law is prohibited.
4. Compliance with the LEP Plan is required.
5. Compliance with applicable civil rights laws is required.
6. Compliance with applicable executive or agency orders, grant or other contract provisions, or other applicable civil rights requirements or obligations is required.
7. This policy established minimum requirements. If an applicable civil rights law, executive or agency order, grant or other contract provision, or another civil rights requirement is more stringent, the more stringent requirement will apply.
8. A city department head, other city personnel, or city body that knows of a violation of this policy must promptly report that violation to the civil rights coordinator.
9. All city personnel observing a violation of this policy must intervene when that violation may endanger the health or safety of any individual or when any other city personnel seem to be acting without reasonable self-restraint. This duty to intervene exists unless intervention cannot occur without endangering the health or safety of other individuals, including other city personnel.

B. This policy applies to all Wyoming personnel and bodies.

C. This policy applies to all aspects of all Wyoming programs, services, and other activities, including, without limitation, (i) access, (ii) benefits, (iii) participation, (iv) treatment, (v) contracting opportunities, (vi) training, (vii) complaint investigation and processing, (viii) fund allocation, (ix) project prioritization, (x) employment and personnel actions, (xi) project planning, development, and implementation, (xii) property acquisition and use, (xiv) construction and installation, and (xv) research.

D. All city contractors must also comply with the contractual requirement in section 10 of this policy.

E. This policy is subject to and does not limit established constitutional, statutory, or other well-settled state and federal exemptions and exceptions, among which are, for example and not for limitation:

1. *Bona fide* occupational qualifications recognized by state and federal agencies and courts.
2. Age-, sex- and merit-based distinctions recognized by state and federal agencies and courts (e.g., senior and student discounts, some sex and age classifications in athletics, competitive athletic or other contests, performance-based selections, etc.).
3. Legally imposed requirements or limitations (e.g., minimum ages for alcohol or tobacco possession or use, ages for eligibility for political offices, distinctions between juvenile and adult offenders, juvenile offender programs, veterans' courts or programs, and the minimum age to vote).
4. Religious, expressive, associational, or assembly rights or other recognized rights under the state or federal constitution or other law (e.g., the federal Religious Land Use and Institutionalized Persons Act) or legal requirements to accommodate religious beliefs and practices.

If there is a question about whether an exception or exemption applies to an individual, entity, or situation, the individual or entity seeking to apply it must contact the civil rights coordinator for clarification. The civil rights coordinator may consult such other persons as the civil rights coordinator deems appropriate in providing that clarification.

SPECIFIC REQUIREMENTS AND PROVISIONS

§7 – Interactions, Communications, and Actions. Except in the limited circumstances in which an exception or exemption applies, Wyoming personnel and bodies, must not:

A. Engage in or approve any planning, decisions, or actions that would:

1. Deny anyone a service, opportunity, or other benefit for which the person is otherwise qualified.
2. Provide a person a service or other benefit that is inferior (in quantity or quality) to, or which is provided in a different manner from, that provided to others.
3. Subject a person to disparate treatment related to the person's receipt of services or benefits.

4. Restrict a person's enjoyment of services, facilities or any other advantage, privilege, or other benefit provided others.
 5. Adopt or use administrative methods that limit participation by an individual or group or subject an individual or group to discrimination.
 6. Permit discriminatory activity in a facility wholly or partially constructed with state or federal funds.
 7. Deny a segment of the population the opportunity to participate in operations of a planning or advisory body that is an integral part of a federally funded program.
 8. Subject an individual to discriminatory employment practices.
- B. Interact or communicate in a way that:
1. Addresses an individual in a manner that denotes inferiority because of race, color, religion, national origin, age, sex, height, weight, marital status, familial status, mental or physical disability, genetic information, or any other reason prohibited by law.
 2. Fails to communicate in a language other than English or provide language assistance to LEP individuals in accordance with the LEP Plan.
 3. Fails to treat all persons with fairness, equity, impartiality, courtesy, and respect.
- C. Plan, locate, design, construct, install, reconstruct, reinstall, alter, improve, or replace a city project or improvement resulting in:
1. Locating a facility in a way that could limit or impede access to a federally funded service or benefit.
 2. A discriminatory impact.
- D. Engage in oversight of (or a failure to properly oversee) any city project, program, consideration, or activity in a way that:
1. Knowingly participates with others, condones, or fails to address the actions of others acting for, on behalf of, or in a contractual relationship with the city and who fail to comply with this policy.
 2. Takes, participates in, condones, or fails to report any retaliation against or intimidation of a complainant, witness, consultant, or other person involved in any complaint or investigation.

§8 – Equal Employment Opportunity Plan (EEOB).

- A. As required by the COPS grant, the city filed a utilization report with the DOJ's Office of Justice Programs. The city also regularly files an EEO-4 report on EEOC Form 164 with the EEOC. The utilization report revealed:
1. The highest levels of male minority employee underutilization are in the Black or African American ethnicity for Protective Services: Sworn-Officials (-10%) and Protective Services: Non-sworn (-5%) job groups and in the Hispanic or Latino ethnicity for Skilled Craft (-5%) and Protective Services: Non-sworn Officials (-3%) job groups. In addition, White males continue to be underutilized (-12%) in the Administrative Support job group.
 2. The highest levels of female minority employee underutilization are in the Black or African American ethnicity for Service/Maintenance (-5%) and in the Technicians (-3%) job groups. Underutilization of female minority employees is also represented in the Hispanic or Latino ethnicity for Service/Maintenance (-4%) and Asian ethnicity for Protective Services: Non-Sworn (-4%). Also, White females are underutilized in the job groups of Protective Service: Sworn-Patrol Officers (-35%), Service/Maintenance (-31%), Protective Services: Non-sworn (-30%), Professionals (-8%), Technicians (-8%), and Officials/Administrators (-7%).
- B. Reasons for these underutilizations may be myriad.
1. Some underutilization may arise from self-selection based on normative gender roles such as white female underutilization in service/maintenance and protective services categories. Some may result from cultural wariness of involvement in governmental roles. Regardless of cause, some applicant pools reflect resulting underutilization. Efforts are needed and are underway to improve the applicant pools.

2. It may be that application review, interviewing, and other selection processes impede appropriate utilization. An effort to identify and rectify such process impediments is underway.

3. Similarly, the city is reviewing its promotional and lateral transfer processes to ascertain if they impede advancement or intra-city career mobility of underutilized populations. Underutilization among supervisors and department heads might not only be symptomatic of underlying impediments but may also limit applicant pools because some potential applicants may perceive such underutilization to indicate city employment provides limited career opportunities.

C. The city has undertaken many steps to address employment underutilization of (as well as to improve understanding of and service to) women, minorities, and other marginalized individuals and groups in the community. Among them are:

1. The city currently advertises locally, statewide, regionally, and nationally and has added professional organizations, diverse media outlets, and other advertising networks such as El Hispano News, National Association of Black Law Enforcement Officers, National Latino Peace Officers Association, National Asian Peace Officers Association, International Association of Black Professional Fire Fighters, and National Association of Hispanic Fire Fighters.

2. The city has reached out to local school superintendents and high schools (the city is served by 7 public school districts and several parochial schools) in efforts to (i) establish a presence among and relationships with students, (ii) encourage students to take advantages of available summer and other seasonal employment, and (iii) encourage students to explore careers at the city.

3. The city has reinitiated “citizens academies” intended to inform enrolled citizens about city government and services and that include interactions with city officers and employees.

4. The Department of Public Safety formed a diverse recruitment team, including those with specialized training, to place specific emphasis on recruiting and retaining female, minority, and military veteran candidates.

5. The city engaged Dr. Rik Stevenson, a professor of African American Studies at the University of Florida, to lead cultural sensitivity training in many sessions, some of which focused on selected departments, such the Department of Public Safety, some of which were attended by employees throughout the city, and some of which were open to the general public.

6. The city has worked with some local faith-based and business leaders to extend outreach into underserved and underutilized segments of the community.

7. The city formed a diversity, equity and inclusion taskforce to identify and address impediments to recruiting and retaining a diverse workforce and to more diverse representation on city board and commissions.

8. The city engaged in several housing initiatives intended to improve available housing opportunities, choice, and attainability. Among them are (i) engaging in a housing needs and impediments analysis that is used to guide many decisions including master planning and zoning, (ii) continued participation in CDBG-funded housing initiatives to address homelessness, make needed repairs to owner-occupied housing units, (iii) providing tax exemptions to developers of workforce housing (payments in lieu of taxes are made at a fraction of the taxes that would otherwise be paid) resulting in construction of hundreds of units at below market rents, and (iv) encouraging development of a variety of housing types throughout the community as one way to improve overall supply.

9. The city has a tuition reimbursement program available to employees who choose to pursue additional career related education.

10. The city has a police cadet program that includes paying above-market wages and police academy sponsorships where some academy costs (tuition, books, uniforms, etc.) are paid.

11. The city works with the Kent County Technical Center to recruit those enrolled in technical courses of study.

12. The city produced a recruitment video highlighting its diverse workforce and employment opportunities. Other recruitment brochures and information also depict women and minorities.

13. The city hosts a number of events at throughout the community offering opportunities for residents and others to engage with city officers and employees including an annual Department of Public Works open house, National Night Out Events, open houses at city fire stations at which police vehicles and personnel are also available, “Shop with a Cop” events to assist lower income families, Wyoming Gives Back events featuring local school musical groups, police officers and fire fighters in an annual toy collection and give-away event, a community clean-up day at which people from throughout the community can discard all kinds of items, an annual carnival that raises money for parks program scholarships, assistance with and participation in various community events such as school fairs and block parties, and many others.

14. Working in collaboration with local public schools, the city organizes and supports “TEAM 21” after school programs.

15. The city regularly conducts employee training on topics that can affect recruitment, retention, and advancement of employees on topics like sexual and other harassment, inclusive language, etc.

16. The city weekly highlights employees nominated by other employees for exemplary service and teamwork. This helps inculcate a culture of appreciation, especially when several of the highlighted employees were recognized for their perceptiveness of and efforts to address citizen or co-worker needs and concerns in ways that exceeded expectations for person serving in their roles.

D. The city will continue the efforts listed in the preceding subsection. In addition, the city will also:

1. Distribute the utilization report and annually filed EEOC For 164 to city department heads with a summary of the underutilization like that in subsection A. That distribution will be informative but will include a solicitation for and discussion of ideas for improving utilization.

2. The same information will be provided to the city diversity, equity and inclusion team for its review and insights.

3. The city will intermittently interview newly hired personnel, particularly those from underutilized populations, to learn from their experiences and to gather their insights about how the city could improve recruiting among underutilized populations.

4. The city will network with local colleges and universities, especially those with programs of study related to city employment opportunities to identify and recruit applicants.

5. The city will intermittently remind current employees of efforts to improve diversity, seeking their help in recruiting applicants and potential applicants.

E. This plan will be distributed, reviewed, progress evaluated, and modifications made as provided in sections 14 through 16 of this policy.

§9 – Limited English Proficiency (LEP) Plan. Title VI as clarified by Executive Order 13166⁵, ensures accessibility to programs and services to otherwise eligible persons LEP individuals. DOJ’s Civil Rights Division issued guidance in May 2011⁶ stating that a LEP plan must include at least two components. The first is a self-assessment to determine types of contact that may occur with the LEP population. The second is the language access (i) policy directives, (ii) implementation plan, and (iii) procedures.

A. Wyoming assessed when LEP interactions could occur⁷ and considered how they may occur. Oral interactions with LEP individuals may be in-person, virtual (such as via conference calls, Zoom, Skype,

⁵ Issued August 11, 2000, by President William J. Clinton, *Executive Order 13166: Improving Access to Service for Persons with Limited English Proficiency* <https://www.justice.gov/sites/default/files/crt/legacy/2010/12/14/eolep.pdf>.

⁶ *Language Access Assessment and Planning Tool for Federally Conducted and Federally Assisted Programs*, May 2011, https://www.lep.gov/sites/lep/files/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf.

⁷ The following is the city’s self-assessment of possible LEP interactions.

Department	Office/Service	Activities	Possible Interaction(s)
Council		Meetings Citizen communication	LEP individuals (i) communicating orally or in writing before, during or following meetings, or (ii) participating in meetings.
Manager	General administration	Public face of the city for all matters	Oral & written communications with LEP individuals are possible & may be critical & time-sensitive, or informative in urgency.
Manager	Communications	Internal/external/board/body communications, media relations, coord. special events	Any communications could include LEP individuals.

Facebook, Facetime, MS Teams, or LanguageLine), especially during remote or partially remote meetings, or by landline or cellular phones. Written communications may be electronic via e-mail or text, facsimile, web-based or internet, or written paper documents and could include media releases, correspondence, plans, meeting and other notices, citations, summons or other legal process, bills or invoices, receipts, information requests, responses to inquiries, other communications.

B. Wyoming's current population is estimated to be over 76,000. The Census Bureau classifies how well people speak English as: very well, well, not well, and not at all. For this plan, Wyoming considers persons speaking English less than very well as LEP persons. The following is 2019 data for Wyoming:⁸

				Number	Percent
Population 5 years and over				69937	-
HR	Recruitment	Advertise, notices, pool/source outreach, application receipt & screening, & interviews	Applicants, employees, references, or others may be LEP individuals, Any communications could include LEP individuals.		
HR	Personnel management	Pay/benefit/CBA admin, review, test, train, discipline, separation	Communications could include LEP individuals.		
HR	Complaints	Internal/external complaints	Communications could include LEP individuals.		
HR	Risk Control	Employee safety, contagion response	Could include LEP individuals. Departments served by Risk Control can likely provide needed language assistance		
Purchasing	Bidding	Bidding, purchasing compliance	Communications could include LEP individuals.		
Purchasing	Contract administration	Bid/contract compliance	Communications could include LEP individuals.		
Assessor	Real property assessing	Inspections, notices, studies, exemption reviews	Communications could include LEP individuals.		
Assessor	PPT assessing	Notices, review statements or affidavits, exemptions	Communications could include LEP individuals.		
Assessor	Appeals	Assessor/BOR/MTT appeals	Communications could include LEP individuals.		
Attorney	General counsel	Contracts, resolutions, ordinances; advise staff, litigation; meetings; inquires	Communications with persons other than city employees could include LEP individuals. If city employees are LEP individuals, departments can likely provide needed translation.		
Attorney	Prosecution	Authorize & prosecute charges	Communications could include LEP individuals.		
Clerk	FOIA	FOIA responses	Communications could include LEP individuals.		
Clerk	Elections	Applications, ballots, notices, elections; training; complaints & inquiries	Communications could include LEP individuals.		
Clerk	Licensing	Issue/deny/suspend/revoke licenses	Communications could include LEP individuals.		
Clerk	General	Walk-in, phone & e-mail inquiry	Communications could include LEP individuals.		
Clerk	Bidding	Bids & bid openings	Bids are technical documents, reducing LEP interactions.		
Finance	Grant admin	Ensure grant compliance	Interaction with LEP individuals is unlikely.		
Finance	Bill payment	Vendor set-up & payment	Interaction with LEP individuals is possible.		
Finance	Payroll	Payroll processing.	Interaction with LEP individuals is unlikely.		
IT	Intra/Internet sites	Design & update	Accommodation of LEP individuals is important.		
IT	TV & virtual meetings	Provide links, & provide equipment	Accommodation of LEP individuals is important.		
IT	Phone system	Zoom/MS Teams/other support	Accommodation of LEP individuals is important.		
IT	Hearing accommodation	As equipment/software is needed	Accommodation of LEP individuals is important		
Treasurer	Tax, utility & misc billing & collection	Send & collect bills, set-up payment plans	Communications could include LEP individuals.		
Community Services	Community Dev & CDBG	Grant/loan admin, contracting, oversight	Communications could include LEP individuals.		
Community Services	Inspections	Plan review & appeals, inspections, enforcement	Communications could include LEP individuals.		
Community Services	WSC	Fitness facility, programs, rentals, assistance, & meals	Communications could include LEP individuals. More likely as part of park programming & facility rentals.		
Planning & Econ Devlmt	Planning	Plan review, enforcement, planning, PC, & ZBA	Communications could include LEP individuals.		
Public Safety	Police	Incident response, traffic enforcement, investigations	There is a high likelihood of communication with LEP individuals.		
Public Safety	Fire	Fire response, inspection & investigation, med response	There is a high likelihood of communication with LEP individuals.		
Public Works		Bidding; construction admin	Communications could include LEP individuals.		
Public Works	Engineering	Prep/review plans, inspect, pre-qualify	Communications could include LEP individuals.		
Public Works	Facilities	Maintenance	Communications could include LEP individuals.		
Public Works	Streets	Street construction; traffic signs & signals	Communications could include LEP individuals.		
Public Works	Water system	Construct, inspect, sanitize, repair	Communications could include LEP individuals.		
Public Works	Sewer system	Construction; inspection, repairs	Communications could include LEP individuals.		

⁸ 2019 American Community Survey.

-Speak only English at home	54214	77.52%
-Speak a language other than English at home	15723	22.48%
-Speak English less than "very well"	6933	9.91%
-Speak Spanish at home	12614	18.04%
-Speak Spanish at home & speak English less than "very well"	5533	7.91%
-Speak Other Indo-European language at home	1025	1.47%
-Speak Other Indo-European language at home & speak English less than "very well"	247	0.35%
-Speak Asian or Pacific Island language at home	1866	2.67%
-Speak Asian or Pacific Island language at home & speak English less than "very well"	1038	1.48%
-Speak Other language at home	218	0.31%
-Speak Other language at home & speak English less than "very well"	115	0.16%

C. There are two types of language assistance services. Interpretation is oral language assistance and translation is a written language assistance.

1. Some city personnel are bi- or multi-lingual with some having Spanish fluency,⁹ who may, on occasion, be called upon for oral language interpretation or written language translation. They may or may not be available at any given time or place. Because fluency in a language other than English is not now a job requirement for all positions in which LEP interactions may occur and because not all city employees are fluent in legal or other terminology, this plan does not rely on current employees.

2. The city has and will engage one or more language assistance services to provide needed services. LanguageLine Solutions provides interpretation and translation services for all languages Wyoming may need to provide language assistance services. It will provide on-site interpretation services at public meetings as well as on-demand remote interpretation services via video conferencing, phone conferencing, or mobile conferencing. The city also engages Fidelity Language Resources LLC, a local entity providing some interpretation and translation services.

3. Distributed language cards enable city personnel to ask an LEP person to point to a language on the card to identify the language the LEP person speaks most well. Wyoming personnel can then access the interpretation and/or translation service needed for language assistance.

D. Department heads know of the availability of city-approved language assistance service providers and there is general knowledge of who among staff is bi- or multi-lingual. Training includes heightening sensitivity to LEP issues, use of language cards, and seeking appropriate language assistance. Regular LEP data collection reinforces this requirement among department heads and supervisors.

E. Notices of availability of language assistance are published on meeting agendas and notices as noted in section 13. Signage has been added at some appropriate places in city buildings such as police and fire buildings, city hall, the court building, the Wyoming Senior Center, and parks facilities. Similar statements will be written for correspondence and official notices.

F. The civil rights coordinator will also serve as the LEP coordinator and will (i) monitor compliance with this section, (ii) evaluate whether the plan is meeting its objectives of addressing nearly all situations in which language assistance is needed and, if not, (iii) recommend any updates or changes to the plan. City personnel are directed to provide data on the use of language assistance services and on interactions with LEP persons to determine whether additional actions are needed such as adding fluency in certain languages as a job requirement for some positions.

G. The city LEP policy is as follows:

1. Language should not be a barrier for using city facilities and services, interacting with city officers and employees, participating in city meetings and programs, obtaining needed permits and approvals, understanding and complying with requirements, seeking assistance, or addressing concerns. The city

⁹ The city values those employees and seeks to hire bi- and multi-lingual employees. Appropriate language proficiency may become a future job requirement for some city positions.

recognizes many in our community have limited English proficiency and can be fully served only with languages with which they are proficient.

2. It is the city's policy to make language assistance services available and/or to use them when needed or appropriate, as determined by the city council, city manager, a city department head, or any of their respective designees, to fulfill this plan's purpose as stated above.

3. Compliance is required. All city personnel and all city bodies must comply with this section. Noncompliance can have the same consequences as noncompliance with any other city policy.

4. All city personnel and all city bodies must promptly report violations of this section to supervisory personnel, the civil rights coordinator, or the city manager.

5. Language assistance must be provided when (i) LEP may hinder a person's ability to participate in public meetings, protect rights or property, protect themselves or family members, understand consequences of personal or city actions, or obtain needed assistance, (ii) LEP may hinder emergency planning or responses, (iii) issuing any official notice or other communication of legal significance or other possible consequences and city personnel know one or more of the intended recipients may be a LEP person, or (iv) the city council, the city manager, the city manager's designee, a city department head, the designee of a city department head, or the 62-A District Court deem it necessary, important, or prudent to do so. This does not require their use in every communication. However, availability of language assistance services should be readily apparent in meeting notices, signs in city facilities, city brochures, city invoices, and certain other communications as directed by the civil rights coordinator.

a. Language assistance is not required when universal symbols communicate locations or directions, such as universal restroom symbols, pedestrian crossing symbols and signals, traffic signage employing universal shapes (e.g., triangular yield signs, octagonal stop signs, do not enter signs using a red circle in a white square, etc.), lane markings and signage, and red, green, yellow traffic signals.

b. City personnel are encouraged to provide Spanish language or dual (English and Spanish) language versions of commonly used forms, brochures, and other information. Special signage for particular activities, such as signage directing city hall visitors during a pandemic or during elections and signage at city operated special events, should be provided in English and Spanish.

c. When speaking in-person with a LEP individual, city personnel shall use available language cards to identify a language in which the LEP individual is proficient. Once the language is identified, language assistance should be obtained from other city personnel, from an available adult family member or friend, or from a city-approved language assistance service. If this interaction occurs during a meeting for which there was no prior language assistance request, the action about which the LEP individual wishes to speak should be postponed, if reasonable, so language assistance can be provided and the LEP person can appropriately participate.

d. When speaking with a LEP individual via telephone or other electronic means and able to identify the language being spoken, the interaction shall be postponed, if reasonable, until appropriate language assistance can be obtained. Sources of language assistance may be the same as for in-person interactions.

e. When communicating with a person via text or e-mail and it seems the person may be a LEP individual, questions should be asked to ascertain whether the individual is more comfortable communicating in another language and arrangements made for appropriate language assistance. This may involve offers of telephone or in-person communications to facilitate better understanding.

f. When it is clear a LEP individual is a recipient of written communication that is important because it includes deadlines, expirations, legal rights or obligations, payment requirements, licenses, other approvals, or other important matters, language assistance must be provided. If an adult relative or other person trusted by the LEP individual seems especially competent and able to provide needed assistance, that can be acceptable. But, if there is not an available trusted adult who is competent to provide such assistance, the documents must be translated into the identified appropriate language.

6. Departments with bi-lingual or multi-lingual personnel shall make them available to other city officers and departments when reasonably needed and, especially during an emergency or other urgent matter requiring effective communications to preserve lives or to protect property or the public health, safety, or welfare. The city manager or the city manager's designee(s) may immediately reassign staff for language

assistance tasks. In other situations, it is appropriate for departments to make bi- or multi-lingual personnel available to assist other departments with language assistance needs when doing so will not unduly adversely affect the department to which such personnel are assigned. In all circumstances such assignments must comply with applicable collective bargaining arrangements, personnel policies, and applicable law.

7. The finance department and city attorney will provide advice and support for any needed accounting, record keeping, and legal analysis. The human resources director will assign a member of the city's planning or engineering staff experienced in community outreach for other purposes to assist in outreach to LEP communities. Other departments will provide information and other assistance requested by human resources and purchasing within the reasonably requested response times.

H. Designated HR staff will include LEP training with the city's ongoing cultural awareness training. That training will include how to use language cards, how to contact and engage bi-lingual or multi-lingual city staff and/or city-approved language assistance services, how to keep and provide to HR appropriate records of LEP interactions, and when to proactively provide interpretation or translated documents.

I. Each department will designate a staff member to report quarterly (by October 15, January 15, April 15 and July 15) to the civil rights coordinator information for the preceding quarter that might include general reporting or numerical data regarding some or all of the following (i) numbers of interactions with LEP persons, (ii) the languages involved, (iii) whether language assistance services were used, (iv) if language assistance services were not used, why not, (v) what language assistance services were used (e.g., city personnel, a city-approved language assistance service, or other), (vi) whether the assistance was interpretation, translation or both, (vii) the name and cost of the language assistance service, (viii) a description of typical situation(s), and (ix) whether the result seemed satisfactory under the circumstances. For repeated interactions, such as for TEAM 21 members regularly interacting in bi-lingual or Spanish language settings, brief summaries of common interactions will suffice. A staff member designated by the HR with assistance, when needed, from the finance department will verify costs by comparing department reports to reports and/or invoices from language assistance service providers. The purpose is to provide a reasonable basis for evaluating the efficacy of city efforts, whether those efforts comply with applicable federal and state requirements, and how those efforts can be improved.

J. The HR designee, in conjunction with the city's communications specialist and any other person(s) assigned to such work, will reach out to identified LEP communities in the city to determine what deficiencies exist in and what improvements could be made to this plan and its implementation. That outreach will be planned after reviewing reports from departments using 2020 Census data (when available) and contacts gleaned from information provided by departments.

§10 – City Contracts. All (i) city contracts, (ii) requests for proposals, (iii) invitations to bid, (iv) solicitations of quotes, and (v) other means of seeking information for city contracts must include provisions requiring city contractors to comply with this policy. Those provisions must be in a form acceptable to the city attorney. Unless other language is approved by the city attorney and city purchasing director, the following provision must be included:

Nondiscrimination and Respect. City is committed to equity, fairness, impartiality, courtesy, respect, and nondiscrimination in all City programs, benefits, and actions, including City contracts and activities that contractors or others engage in for or on behalf of City. Accordingly:

A. Contractor in (i) employment actions, (ii) soliciting, bidding or contracting with subcontractors, or (iii) soliciting, bidding or contracting for materials will not discriminate based on race, color, religion, national origin, age, sex, height, weight, marital status, familial status, mental or physical disability, genetic information, or other reason prohibited by law that is unrelated to the ability to perform the duties of a job or position. "Sex" means sex and gender, sex or gender stereotypes, sexual orientation, gender identity (including transgender status) or expression, and pregnancy, childbirth, or a condition related to pregnancy or childbirth.

B. Contractor will comply with applicable state and federal laws, rules, regulations, and other requirements regarding discrimination and inclusion, including, without limitation, Title VI of the federal Civil Rights Act of 1964, Michigan's Elliott-Larsen civil rights act, Michigan's persons with disabilities civil rights act, the federal Age Discrimination Act of 1975, and §504 of the federal Rehabilitation Act of 1973, together with all rules, regulations, orders, and guidance issued pursuant to those statutes.

C. If Contractor will engage with others on City's behalf, Contractor must (i) ensure all persons are treated with fairness, equity, impartiality, courtesy and respect, and in a manner that does not discriminate based on race, color, religion, national origin, age, sex, height, weight, marital status, familial status, mental or

physical disability, genetic information, or any other reason prohibited by law, and (ii) if any engaged individuals have limited English proficiency (*i.e.*, they speak English less than very well), Contractor must use language assistance services in communications. Language assistance services complying with City's Limited English Proficiency (LEP) Plan (in §9 of City's Civil Rights Policy) comply with this requirement.

D. Contractor must include these requirements in subcontracts and supply contracts and reasonably enforce compliance with them.

E. Noncompliance with this provision is a material breach of this Contract that can result in (i) withholding payments to Contractor, (ii) Contract cancellation, termination, or suspension, in whole or in part, and (iii) Contractor's ineligibility for future City contracts.

F. Contractor must retain and, upon request, provide City access to and copies of all information and reports required by the requirements in this provision that City or a state or federal agency determine are pertinent to ascertain compliance. If information required of Contractor is in the sole possession of another who fails or refuses to furnish it, Contractor must so certify to City.

§11 – Assurances for Grants. As a recipient of state and/or federal assistance, the city gives the following specific assurances:

A. Each city program will be conducted, and each city facility operated, in compliance with applicable civil rights laws.

B. If the city is, directly or indirectly, a grantee or transferee of the federal government in an interest in real property, buildings, structures, or other land improvements, any document the city uses to convey an interest in or allow use of that real property, buildings, structures, or other land improvements will include a covenant incorporating any covenant the federal government used to convey or transfer that real property, buildings, structures, or other land improvements to the city.

C. If the city receives federal financial assistance to construct a facility or part of a facility the assurances in subsections 11.A and 11.B will extend to the entire facility and to all facilities operated in connection with that facility.

D. If the city receives federal financial assistance in the form of, or for the acquisition of real property or an interest in real property, the assurances in subsections 11.A and 11.B will extend to rights to space on, over or under such property.

E. The city will periodically complete utilization reviews to determine the success of its EEOP and will modify its EEOP in efforts to improve its utilization review.

F. These assurances obligate the city for the period during which federal financial assistance is extended to its program. If the federal financial assistance is to provide or is in the form of (i) personal property, (ii) real property, (iii) an interest in real property, or (iv) any structures or improvements on real property, these assurances obligate the city for the longer of the following: (a) the period during which the property is used for a purpose for which the federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the city retains ownership or possession of the property.

G. The city will administer its programs to ensure the city, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest, and other participants of federal financial assistance under the program comply with applicable civil rights laws.

H. The city agrees that federal and state agencies and officials have a right to seek judicial enforcement of matters arising under applicable civil rights laws.

I. These assurances are given in consideration of and for the purpose of obtaining federal and/or state assistance extended to the city. They are binding on the city, other recipients, sub-grantees, contractors, sub-contractors, transferees, successors in interest, and other participants in the state or federal program. The person signing this policy is authorized to sign these assurances for the city.

J. Wyoming will actively pursue compliance and prevention of noncompliance with this policy.

§12 – City Project Evaluation – Environmental Justice. City programs, policies, activities, and projects must be undertaken in ways to avoid significant adverse effects on minority and low-income populations.

A. The city department undertaking or acting as the lead department for a city project will initially determine if a minority or low-income population is present within the project area. If the conclusion is

that no minority and/or low-income population is present within the project area, the city will document how that conclusion was reached as provided in subsection 12.E.

B. If there are minority population groups and/or low-income population groups present in the project area, the city department must determine whether project impacts associated with the identified low income and minority populations are significant adverse effects by examining and considering the factors, context and intensity as defined in subsection 4.A.1 of this policy. If the conclusion is that no minority or low-income population will be subject to significant adverse effects, the city will document how that conclusion was reached as provided in subsection 12.E.

C. If it is determined that there are significant adverse effects on minority or low-income populations, the city will propose measures to avoid, minimize and/or mitigate those significant and disproportionate adverse effects, and/or provide offsetting benefits and opportunities to enhance the minority or low-income populations affected by proposed project.

D. If after mitigation, enhancements, and offsetting benefits to the affected populations, there remain significant adverse effects on minority or low-income populations, the following must be considered:

1. Are there additional mitigation measures that could be employed to avoid or reduce the adverse effect to the minority or low-income population?
2. Are there other additional alternatives to the proposed action that would avoid or reduce the impacts to the minority or low-income populations?
3. Considering the overall public interest, is there a substantial need for the project?
4. Will alternatives that satisfy the need for the project and reduce impact on protected populations:
(a) have other social economic or environmental impacts that are more severe than those of the proposed action or (b) have increased costs of extraordinary magnitude?

E. Include all findings, determinations, and demonstrations in the project's environmental document.

§13 – Meeting Agendas, Notices and Other City Body Requirements. City bodies will incorporate the following (or an alternative approved by the city attorney) in bylaws, rules of procedure, or policies and ensure appropriate notices are provided the public and others about the city's commitment and contact information for city personnel to obtain any needed accommodation(s). This information should also be provided on meeting agendas to ensure those wishing to do so are able to attend and participated in the meeting.

The City of Wyoming, including the [NAME OF BODY], is committed to ensuring all persons have access to all its programs, services, and activities, including any public meetings. The [NAME OF BODY] will coordinate with city staff to ensure the [NAME OF BODY] fulfills that commitment for its programs, services, and activities, including its public meetings. Accommodations to enable virtual meeting attendance and participation can usually be made if a request is received at least 5 hours before the meeting time. Other accommodations may require more time.

Special Accommodations - Persons with impairments or disabilities needing accommodations to participate in the meeting or persons who need language interpretation services may contact the city clerk at either Clerk_info@wyomingmi.gov or 616.530.7296 at least 36 hours before the meeting to make arrangements for appropriate accommodation.

Acomodaciones Especiales - Personas que deseen asistir a esta reunión y necesitan acomodación para participar, como servicios de interpretación, deben comunicarse con la Oficina del Administrador de la Ciudad al 616.530.7296 o Clerk_info@wyomingmi.gov al menos 36 horas antes de la reunión para hacer arreglos para el alojamiento apropiado.

ADMINISTRATION

§14 – Enforcement and Complaints.

A. The civil rights coordinator will undertake enforcement actions needed to address noncompliance by city personnel, city bodies, city contractors, or others. Remedial actions will be taken promptly after confirming noncompliance. Appropriate consequences may be imposed against those in noncompliance.

1. Personnel actions, up to and including discharge, may be taken against employees and volunteers for violations of or failures to comply with this policy.
 2. Refusals to comply, egregious noncompliance, or repeated failures to comply with this policy constitute misfeasance or malfeasance in office.
 3. For city contractors, noncompliance with this policy is a material breach of contract that can result in (i) withholding payments to the contractor, (ii) contract cancellation, termination, or suspension, in whole or in part, and (iii) contractor's ineligibility for future city contracts.
- B. A person aggrieved by noncompliance with this policy, or an individual suffering discrimination, may file a complaint with the civil rights coordinator. (A complaint alleging the civil rights coordinator's noncompliance may be filed with the city manager.)
1. An aggrieved person or person with information that city personnel, a city body, or a city contractor violated this policy may file a complaint within 180 days of the alleged noncompliance or alleged discrimination. If the complainant could not reasonably have known of the noncompliance or discrimination within 180 days, the complainant will have 60 days after becoming aware of the noncompliance or discrimination to file a complaint.
 2. Complaints must be in writing and signed by the complainant. Complainants may use the complaint form following this section or may file a written complaint in another form that includes at least the following information. If a complainant is unable to file a written complaint, the complainant or a person assisting the complainant may speak with the civil rights coordinator, who will solicit and record in writing this information. Anonymous complaints, media reports, and unattributed statements will not be considered.
 - a. The complainant's name, address, telephone/cell phone number, and e-mail address.
 - b. The date of the alleged discrimination or noncompliance and the date of the complaint.
 - c. A description of the incident, including (i) where it occurred, (ii) who was present (including names and contact information if known for all who were there), (iii) was discrimination based on race, color, age, disability, religion, national origin, sex, income, or other reasons prohibited by law (iv) a description of the discriminatory or noncomplying acts or statements, and (v) any evidence of discrimination or noncompliance.
 - d. The signature of the complainant or the complainant's representative under an attestation that the facts stated in the complaint are true and accurate.
 - e. It must be submitted to:

Wyoming Human Resources
1155 28th St SW
Wyoming, MI 49509-0905
Phone: (616) 530-3173
Fax: (616) 261-7103
E-mail: hr_fax@wyomingmi.gov
 3. After receiving a complaint, the civil rights coordinator will investigate the complaint in an impartial and objective manner. In doing so, the civil rights coordinator may consult with or seek assistance from any other city personnel and outside legal or other consultants as the civil rights coordinator deems necessary or appropriate. The civil rights coordinator may designate an investigator.
 - a. The investigation should (i) to a reasonable extent (some disclosure will be needed to obtain needed information and to allow for a full understanding of facts and circumstances) be confidential to protect the privacy of the complainant, any witnesses, and any person(s) against whom it was made, (ii) focus only on the allegations in the complaint, (iii) include interviews of as many persons who were present or who have relevant knowledge of the incident or circumstances, (iv) be conducted without being defensive, without prejudging the outcome, and without asking leading questions, (v) obtain and maintain copies of any relevant documents, audio or video recordings, photos, texts, e-mails, voice messages, social media postings, and other evidence, (vi) include chronological, contemporaneous notes documenting the investigation, and (vii) be completed, including the report to be made under subsection 14.B.4, within 40 days of receipt of the complaint.
 - b. The investigation should not consider (i) any media coverage, media reports, or opinions, except for possible references leading to other sources of information, and (ii) inquiries or

allegations by parties claiming an interest in the outcome but not involved in the incident, including labor organization representatives (except one union representative may be present during interviews with city personnel), civil rights organizations, media representatives, and other city personnel or city bodies without knowledge of the circumstances.

4. At the conclusion of that investigation, the civil rights coordinator (or designated investigator) shall prepare a written report of the civil rights coordinator's (i) determination of facts, (ii) conclusions as to whether discrimination or noncompliance occurred and who was responsible for that discrimination or noncompliance, (iii) description of the circumstances, (iv) description of any remedial actions, and (v) other information the civil rights coordinator deems relevant. The report must refer to any provision of this policy that was violated or applicable DEL laws the discrimination violated. The report must reach one of the following conclusions:

- a. Discrimination or noncompliance occurred.
- b. The complaint is unfounded.
- c. Currently available information is insufficient to conclude that either (i) discrimination or noncompliance occurred, or (ii) the complaint was unfounded.

5. When completed, the report shall be submitted to the city manager, who will determine what actions to take (i) to remedy the discrimination or noncompliance and/or (ii) as a consequence of the discrimination or noncompliance.

6. The report, together with information about any action the city manager took under subsection 14.B.5 shall be submitted to appropriate federal or state agencies as required by applicable civil rights laws or other requirements (e.g., grant contract provisions).

7. Copies of complaints, reports and associated materials shall be maintained by the civil rights coordinator or city clerk in accordance with the city's records retention policies for at least 6 years.

§15 – Review and Evaluation. The civil rights coordinator shall, with assistance, as needed, from the city manager, finance director, purchasing director, city attorney, other city department heads, and other persons designated by the city manager, administer this policy.

A. The civil rights coordinator will annually compile from information provided by city departments and other sources statistical data on race, color, religion, national origin, age, sex, and mental or physical disability of participants in and beneficiaries of the city programs, services, and activities. Information gathering procedures will be reviewed annually to ensure data is sufficient to meet Title VI, environmental justice, and EEO requirements. If the collected information is insufficient to determine compliance, the city manager will assist the civil rights coordinator in requiring collection and compilation of needed data and other information.

B. The city currently has no "special emphasis programs" as defined in applicable federal and state requirements. If the City later has such programs, the civil rights coordinator will review them as required by applicable federal and state requirements based on annual summaries of activities, accomplishments, and problems to ensure (i) compliance and (ii) equal participation in programs and activities at all levels.

C. The civil rights coordinator will annually communicate with departments receiving federal assistance to (i) review compliance with this policy and with grant or other federal assistance agreements, and (ii) prepare and timely submit any required reports including those required under DOJ, EEOC, EPA, USDOT, and MDOT requirements (e.g., MDOT form #0179 due October 5).

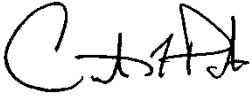
D. The civil rights coordinator will disseminate this policy to all departments and ensure it is posted on the city's intranet and internet (<https://www.wyomingmi.gov>) websites.

§16 – Dissemination. A copy of this policy is posted on or linked to the city's website: <https://wyomingmi.gov>. A copy can be requested at the city clerk's office during normal city business hours or by written request sent to:

City of Wyoming
ATTN: Human Resources Department
1155 28th St SW
Wyoming, MI 49509-0905
Phone: (616) 530-3173
Fax: (616) 261-7103

E-mail: hr_fax@wyomingmi.gov

A copy has been provided to all city personnel via hard copy is posted on the city's intranet. Copies will be provided to any individual, entity or agency who requests a copy.

A handwritten signature in black ink, appearing to read "C. Holt", with a stylized flourish at the end.

Curtis L. Holt, City Manager

**CITY OF WYOMING, MICHIGAN
CIVIL RIGHTS COMPLAINT**

The City of Wyoming has a comprehensive Civil Rights Policy accessible at <https://wyomingmi.gov> or by contacting the City Clerk at (616) 530-7296. Complaints alleging violations of that policy or illegal discrimination under applicable federal and state laws, rules, or regulations, or other requirements can be made either by completing and submitting this complaint form or by filing a written letter or other document that provides the same information.

Complaints must be filed within 180 days of the alleged discrimination or other noncompliance with the Civil Rights Policy. If you could not reasonably have known the act or incident was discriminatory or violated that policy within 180 days, you have 60 days after you became aware of it to file your complaint.

If you need assistance completing this form, please contact the Human Resources Department by phone at (616) 530-3173 or via e-mail at hr_fax@wyomingmi.gov.

Complainant's name: _____

Complainant's address: _____
Street Address City State Zip

Cell or Phone #: _____ E-mail address: _____

Information about person affected by discrimination or violation(s) of the Wyoming Civil Rights Policy.

Affected person's name (if different than Complainant) & relationship to Complainant (e.g., child, spouse, client, etc.):

Address: _____
Street Address City State Zip

Cell or Phone #: _____ E-mail address: _____

What is the relationship of the complainant to the affected person? _____

What city officer, employee or body or what city contractor was involved in the discrimination or policy violation?

On what date(s) did the discrimination or policy violation occur? (Be sure to state the most recent date.)

Indicate below the basis on which you believe the discriminatory or noncompliant actions were taken.

<input type="checkbox"/> Race	<input type="checkbox"/> National Origin	<input type="checkbox"/> Religion
<input type="checkbox"/> Color	<input type="checkbox"/> Sex of Gender	<input type="checkbox"/> Income
<input type="checkbox"/> Disability	<input type="checkbox"/> Age	<input type="checkbox"/> Other reason prohibited by law
<input type="checkbox"/> Height or Weight	<input type="checkbox"/> Language	

Explain: Please explain as clearly as possible what happened. Include the name(s) and contact information (address, cell #, e-mail address) of witness(es) and others involved in the alleged discrimination or noncompliance. Attach additional sheets if necessary and provide a copy of any written material pertaining to your case.

I attest that the statements in this complaint are true and accurate to the best of my knowledge.

Date signed: _____, 202_

When completed, submit to:

Wyoming Human Resources
1155 28th St SW
Wyoming, MI 49509-0905
Phone: (616) 530-3173
Fax: (616) 261-7103
E-mail: hr_fax@wyomingmi.gov

EMPLOYEE RECEIPT

I have received and read the City of Wyoming Civil Rights Policy that also includes the Limited English Proficiency Plan attached as Appendix A to that policy (together, the "2022 Civil Rights Policy").

I acknowledge I must comply with the 2022 Civil Rights Policy and consequences for noncompliance are the same as for noncompliance with other policies.

I understand that if I have any questions about the 2022 Civil Rights Policy, its implementation, or what it requires of me, I should ask my supervisor.

I understand the City of Wyoming can modify the 2022 Civil Rights Policy at any time.

I understand that, during any work for the City of Wyoming, I am expected to act in a professional manner, and to treat all persons with fairness, impartiality, courtesy, dignity, and respect.

Employee signature: _____ Date signed: _____, 2022

Employee's name printed: _____